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Attorneys for Defendants

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

DADUL MAHARAJ,

Plaintiff,

-against-

TIME WARNER CABLE, INC. and
CONNIE CILIBERTI,

Defendants.

Civil Action No: 2:13-cv-06945
(KSH)(CLW)

ECF Case

DECLARATION OF MARJORIE B. KULAK

MARJORIE B. KULAK, an attorney duly admitted to practice before the Courts of the State of New Jersey and before this Court, declares under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am an attorney with the firm of Kauff McGuire & Margolis LLP, attorneys for Defendants.

2. I am fully familiar with the facts set forth herein and submit this declaration in support of Defendants' Reply Memorandum of Law in Further Support of Their Motion to Dismiss Plaintiff's First Amended Complaint.

3. Attached hereto as Exhibit 1 is a true and correct copy of excerpts from Dadul Maharaj's ("Maharaj") January 24, 2012 deposition testimony in the action *Castillo v. Time Warner Cable of New York City, a division of Time Warner Entertainment Co., L.P.*, 09-cv-7644 (U.S. District Court, Southern District of New York), redacted to protect Maharaj's personally identifiable information.

4. At the time of Maharaj's January 24, 2012 deposition, Maharaj's name was Darren Maraj.

5. Attached hereto as Exhibit 2 is a true and correct copy of the Last Chance Agreement for Maharaj. The Last Chance Agreement is referenced in

paragraphs 47-50 of Maharaj's First Amended Complaint, dated April 11, 2014 ("Complaint").

6. Attached hereto as Exhibit 3 is a true and correct copy of e-mail correspondence dated December 4, 2013 between Kevin Smith ("Smith"), Group Vice President and Chief Counsel, Labor, Time Warner Cable and Michael Lubing ("Lubing"), an attorney at JTB Law Group, LLC, the law firm representing Maharaj in this action. Smith's 5:22 p.m. e-mail to Lubing discusses the removal of the waiver provision in the Last Chance Agreement.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: July 11, 2014

/s/ Marjorie B. Kulak
Marjorie B. Kulak